

REMARKS

Claims 1-7 are now pending in the application. Claim 1 is amended. No new matter is presented. In view of the Examiner's comments, the above amendments and the following remarks are considered by Applicants to overcome each rejection raised by the Examiner and to place the application in condition for allowance. An early Notice of Allowance is therefore requested.

Claims 1 and 3-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Okazaki et al. (U.S. Patent No. 5,889,043). The Examiner takes the position that Okazaki teaches or suggests all the features recited in claims 1 and 3-7. Applicants respectfully disagree.

Claim 1 is amended to incorporate the features recited in claim 2. Specifically, claim 1 is amended to recite a plug connection between the recording unit and the microphone is an XLR plug connection. It is submitted that Okazaki fails to teach this feature. Therefore, Applicants request the withdrawal of the rejection of claims 1, and 3-7 under 35 U.S.C. 102(e).

However, Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okazaki in view Steinmaier (U.S. Patent No. 4,270,151). The Examiner takes the position that the combination of Okazaki and Steinmaier teach or suggest all the features recited in claim 2. Claim 2 is cancelled. However, the features of claim 2 are recited in amended claim 1. Applicants respectfully submit that the features recited in cancelled claim 2 are neither taught nor suggested by the applied references.

Okazaki discloses a method of controlling a communication terminal and a communication terminal that communicates with a base station. The communication terminal is provided with different functions from a communication function and the execution of the different functions is limited based on a registration process including receiving and registering controlling data transmitted by the base station.

Steinmaier discloses a circuit for giving audible indication to an operator of sound recording equipment impending distortion of audio signals. The circuit includes a predistortion circuit which introduces distortion into a monitor circuit at a predetermined level below saturation and distortion of the primary channel thus allowing the operation to adjust the gain in the primary channel to avoid distortion on the channel as finally recorded.

It should be noted that Okazaki discloses a portable telephone having a microphone rather than a microphone device as provided in the claimed invention.

It is respectfully submitted that there would no motivation to combine the teaching of the cited references to disclose the claimed invention. Specifically, one skilled in the art would not provide a portable telephone with an XLR plug connection, since an XLR plug connection is only used where a device to be connected by the XLR plug connection is provided a cable connection. In other words, since Okazaki discloses a portable phone, a cable connection is not provided. Therefore, one skilled in the art would not combine an XLR plug connection to a portable telephone.

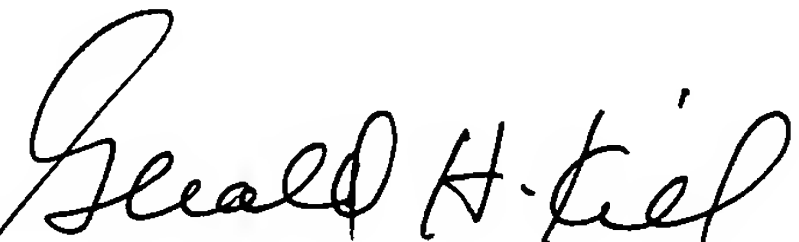
Thus, the present invention is not the same as portable telephone containing a microphone. Rather, the present invention relates to “a microphone unit 1 shown may be standard microphone, in other words a microphone which has hitherto been available commercially, but which has a correspondingly good mechanical and electrically reliable plug connection, for example an XLR plug connection, so the microphone unit 1 and the recording unit 3 can be connected to one another via the XLR plug connection, so on the other hand, an electrically adequate connection is provided between the two parts, but, on the other hand, the two parts are also adequately rigidly fixed to one another mechanically.” (See Page 4, Second Full Paragraph).

It is respectfully submitted that the combination of Okazaki and Steinmaier does not disclose the present invention. It would be impossible to implement an XLR plug connector into a portable microphone disclosed in Okazaki. This combined device would not be operable since it would be mechanically and electrically incompatible without eliminating the portability of the Okazaki device. Furthermore, since Okazaki teaches a built-in microphone in the portable telephone, Okazaki teaches away from the claimed invention since it would be impossible to implement an XLR connection with the device of Okazaki.

In view of the amendment to claim 1 and the above arguments, Applicants respectfully submit that the claimed invention recites patentable subject matter. Therefore, Applicants request the withdrawal of the rejection to claim 1, which as amended, recites the features of claim 2.

In view of the above amendments and remarks, Applicants submit claims 1-7 recite subject matter that is neither taught nor suggested by the applied references. Thus, for the reasons presented above, claims 1-7 are believed by Applicant to define patentable subject matter and should be passed to issue at the earliest possible time. A Notice of Allowance is requested.

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